

### **ORDERS ON I.A.NO.VIII**

The present application filed by the plaintiff under Order XVI Rule 1 of Code of Civil Procedure seeking to condone delay in file of this application and to issue summons to the witnesses in the list.

**2.** The contention raised by the plaintiff in the said application is that, while filing the suit due to unavoidable circumstances the plaintiff could not able to file the list of witnesses and the examination of witnesses is necessary in order to prove the case of plaintiff, hence prays to allow the application.

**3.** On the other hand, defendants submits no objection to the present application.

**4.** Heard the arguments of both parties

**5.** Present suit has been filed by the plaintiff against the defendants for the relief of injunction. The present application has been filed by the plaintiff when the matter has been posted for further plaintiff evidence. On perusal of the application, even though the reason stated by the plaintiff does not satisfies this court, in the interest of justice and equity this court feels it necessary to allow the application. Hence this court proceed to pass the following;

O.S.No.33/2022

**ORDER**

**I.A.No.VIII filed by the plaintiff  
U/Order XVI Rule 1 of CPC, is hereby  
allowed.**

**The plaintiff is permitted to  
examine the witness.**

**Issue witness summons to the  
witnesses mentioned in the list.**

**Call on. 06.04.2026**

*Sd/-*

I Addl. Civil Judge & JMFC.,  
Mudigere.